

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANO SENA,

Plaintiff,

-v-

Case No. 2:22-cv-11493
Hon. Judith E. Levy
Magistrate Judge Curtis Ivy, Jr

T.H. MARSH CONSTRUCTION
COMPANY, a Michigan corporation,

Defendant,

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PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE

Plaintiff received an Order to Show Cause by August 3, 2022 why this case should not be dismissed for lack of subject matter jurisdiction. Plaintiff responds as follows:

Plaintiff has Amended his Complaint as of right pursuant to FRCP 15 where Plaintiff has attempted to serve, but not yet successfully completed service on, Defendant as of the date of this filing. In the Amended Complaint at Paragraphs 1

and 6, Plaintiff makes clear that diversity jurisdiction is proper. Plaintiff is a resident of Thailand and a **citizen of the State of Texas** and Defendant is a **citizen of the State of Michigan** where it maintains its principal place of business and is the state of its incorporation. There exists complete diversity of citizenship between the parties. The complete diversity of citizenship of the parties shows proper subject matter jurisdiction allowing this Court to maintain this action.

For the reasons stated above and the Amendments made to the Complaint in this matter, Plaintiff asks this Honorable Court to not dismiss the Complaint for lack of subject matter jurisdiction where he has shown complete diversity of citizenship between the parties, established proper subject matter jurisdiction and to allow this action to properly proceed in front of the Honorable Judith E. Levy in the United States Court for the Eastern District of Michigan.

Respectfully submitted,

BOGAS & KONCIUS P.C.

By: /s/Brian E. Koncius
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Dated: August 3, 2022